

Amendment No.1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u>    </u>	(Y/N)
ADOPTED AS AMENDED	<u>    </u>	(Y/N)
ADOPTED W/O OBJECTION	<u>    </u>	(Y/N)
FAILED TO ADOPT	<u>    </u>	(Y/N)
WITHDRAWN	<u>    </u>	(Y/N)
OTHER	<u>      </u>	

1 Committee/Subcommittee hearing bill: Judiciary Committee  
 2 Representative Beltran offered the following:

**Amendment**

Remove lines 53-83 and insert:

6 one person which exceeds the sum of \$500,000 ~~\$200,000~~ or any  
 7 claim or judgment, or portions thereof, which, when totaled with  
 8 all other claims or judgments paid by the state or its agencies  
 9 or subdivisions arising out of the same incident or occurrence,  
 10 exceeds the sum of \$1,000,000 ~~\$300,000~~. However, a judgment or  
 11 judgments may be claimed and rendered in excess of these amounts  
 12 and may be settled and paid pursuant to this section ~~act~~ up to  
 13 \$500,000 ~~\$200,000~~ or \$1,000,000, as applicable. The ~~\$300,000, as~~  
 14 ~~the case may be; and that~~ portion of the judgment that exceeds  
 15 these amounts may be reported to the Legislature, and ~~but~~ may be  
 16 paid in part or in whole ~~only~~ by further act of the Legislature.

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17           (b) Notwithstanding the limited waiver of sovereign  
18 immunity provided in paragraph (a) herein, ~~the state or an~~  
19 ~~agency or a political~~ subdivision of the state thereof may  
20 agree ~~within the limits of insurance coverage provided~~, to  
21 settle a claim made or a judgment rendered against it in excess  
22 of the waiver provided in paragraph (a) without further action  
23 by the Legislature., ~~but~~ The state or an agency or a  
24 subdivision thereof may shall not be deemed to have waived any  
25 defense of sovereign immunity or to have increased the limits  
26 of its liability as a result of its obtaining insurance  
27 coverage for tortious acts in excess of the ~~\$200,000 or~~  
28 ~~\$300,000~~ waiver provided in paragraph (a) above. An insurance  
29 policy may not condition the payment of benefits, in whole or  
30 in part, on the enactment of a claim bill.

31           (c) The limitations of liability set forth in this  
32 subsection shall apply to the state and its agencies and  
33 subdivisions whether or not the state or its agencies or  
34 subdivisions possessed sovereign immunity before July 1, 1974.